

REMARKS

Claims 1, 4, and 8-25 are allowed.

New claims 40-47 are added. Support for the new claims is provided by exemplary embodiments of the invention disclosed by the originally-filed application at, for example, pages 5-10 and Figs. 1-4.

Claims 26-39 are rejected under 35 U.S.C. §102(b) as being fully anticipated by Ikeda (U.S. Patent No. 5,638,223).

Respectfully, the Examiner is reminded that regarding rejections under 35 U.S.C. §102, the Federal Circuit Court has provided requirements of a §102 anticipation. "A claim is anticipated only if each and every element as set forth in the claim is found ... in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (emphasis added); see MPEP §2131. "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); see MPEP §2131.

Independent claim 26 recites a "second housing comprising a seat configured for removably mounting the first housing in an adjustment relationship." To allegedly teach the positively recited "first housing" of claim 26, the Examiner relies on housing 41 of Ikeda (pgs 2-3 of paper no. 20070525). To allegedly teach the positively recited second housing of claim 26, the Examiner relies on one of housings 42-44 of Ikeda (pgs 2-3 of paper no. 20070525). However, each second housing 42-44 of Ikeda **is spaced from** the first housing 41. That is, each second housing 42-44 is supported on a structure other than first housing 41. In fact, each housing 41-44 is supported directly or indirectly on a

housing 48 of Ikeda (Fig. 4 of Ikeda), but not one housing of Ikeda is supported on one of the other housings. Accordingly, in no fair or reasonable interpretation can it be stated that one of housings 42-44 of Ikeda comprises **"a seat configured for removably mounting the first housing" 41**. Consequently, Ikeda fails to teach or suggest the **"second housing comprising a seat configured for removably mounting the first housing"** in an adjustment relationship" as positively recited by independent claim 26. Since **"each and every element as set forth in claim 26 **is not found in the single prior art reference of Ikeda** per the Federal Circuit authority above, the anticipation rejection against claim 26 based on Ikeda is inappropriate and should be withdrawn. Independent claim 26 is allowable.**

Claims 27-47 depend from allowable independent claim 26, and therefore, the dependent claims are allowable for depending from an allowable independent claim.


Dependent claim 38 recites "an extreme ultraviolet (EUV) system comprising the projection objective of claim 26." Dependent claim 39 recites "a reticle masking (REMA) system comprising the projection objective of claim 26." These two claims recite to specific structures. However, "the office interprets the claimed limitation to be intended use and is not given patentable weight" (pg. 6 of paper no. 20070525). The office is mistaken. Claimed specific structures to specific systems cannot be fairly or reasonably interpreted to be "intended use." Claimed systems are apparatus claims and not direct to intended use. Consequently, the rejections against claims 38 and 39 are inappropriate and should be withdrawn.

If the Examiner presents art directed to rejecting these claims for the first time in a subsequent action, the subsequent action would only be appropriate as a **non-final action**.

This application is now believed to be in immediate condition for allowance, and action to that end is respectfully requested. If the Examiner's next anticipated action is to be anything other than a Notice of Allowance, the undersigned respectfully requests a telephone interview prior to issuance of any such subsequent action.

Respectfully submitted,

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